

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	CASE NO: 2:07cr188-TFM
)	
WILLIAM W. CURTIS)	

**UNOPPOSED MOTION TO SET CASE FOR SENTENCING HEARING
ON THE SAME DATE SET FOR CHANGE OF PLEA**

COMES NOW the Defendant, William Curtis, by and through undersigned counsel, Aylia McKee, and moves this Court, to schedule a change of plea hearing before the Honorable Terry F. Moorer, United States Magistrate Judge, and to hold a sentencing hearing immediately following the change of plea. In support of this motion Mr. Curtis states the following:

1. Mr. Curtis is charged with ten misdemeanor counts of negotiating a worthless instrument during the period of July 13, 2006 through August 13, 2006 at the Army Air Force Exchange Service (AAFES), at the Maxwell Air Force Base.

2. Mr. Curtis is 65 years old and lives in Waukegan, Illinois, and will have to travel from Illinois for his change of plea and sentencing hearings.

3. Beginning in February of 2008, Mr. Curtis' social security check has been garnished \$138.75 a month due to the charges alleged in the Information.

4. Mr. Curtis has a plea agreement with the Government, through Special Assistant U.S. Attorney, Captain Reese Hayes, pursuant to Federal Rules of Criminal Procedure 11(c)(1)(A) and 11(c)(1)(C).

5. Mr. Curtis has filed his Notice of Intent to Change Plea.

6. The United States Probation Office conducted a preliminary criminal background investigation of Mr. Curtis. For this reason, the defense believes it is unnecessary to prepare a

complete presentence investigation report, and requests that, pursuant to Fed. R. Crim. P. 32(c)(1)(A)(ii), the Court determine that the information in the record enables it to meaningfully exercise its sentencing authority.

7. The United States Sentencing Guidelines are not applicable to this case because it is a misdemeanor brought pursuant to the Assimilative Crimes Act (18 U.S.C. § 13).

8. The United States Probation Office, through United States Probation Officers Scott Wright and Kevin Poole, has indicated that it does not oppose the granting of this Motion.

9. The Government, through Special Assistant United States Attorney Captain Reese Hayes, has indicated that it does not oppose the granting of this Motion.

WHEREFORE, Mr. Curtis respectfully requests that this Motion be granted, and that his case be set for both a change of plea and sentencing hearing.

Dated this 29th day of July 2008.

Respectfully submitted,

s/Aylia McKee
AYLIA MCKEE
FEDERAL DEFENDERS
MIDDLE DISTRICT OF ALABAMA
201 Monroe Street, Suite 407
Montgomery, AL 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail: aylia_mckee@fd.org
ASB-6178-A39M

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CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Captain Reese Hayes, Special Assistant U. S. Attorney, 42 ABW/JA, 50 LeMay Plaza South, Maxwell AFB, Alabama 36112-6334.

Respectfully submitted,

s/Aylia McKee
AYLIA MCKEE
FEDERAL DEFENDERS
MIDDLE DISTRICT OF ALABAMA
201 Monroe Street, Suite 407
Montgomery, AL 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail: aylia_mckee@fd.org
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